

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: DEX-0241

Inventors: Recipon et al.

Serial No.: 10/002,344

Filing Date: October 25, 2001

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

Title: Compositions and Methods Relating to
Lung Specific Genes and Proteins

"Express Mail" Label No. EL853195274US
Date of Deposit - March 15, 2002

I hereby certify that this paper is being deposited with
the United States Postal Service "Express Mail Post Office
to Addressee" service under 37 CFR 1.10 on the date
indicated above and is addressed to the Assistant
Commissioner for Patents, Arlington, VA 22202

By _____
Typed Name: **Kathleen A. Tyrrell**

Assistant Commissioner for Patents
BOX Sequence
P.O. Box 2327
Arlington, VA 22202

Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the "Notice to File Missing Parts of
Nonprovisional Application" dated **January 16, 2002**, a response to
which is due **March 16, 2002**, enclosed herewith for filing is:

- 1) The original Combined Declaration and Power of Attorney,
executed by the inventor(s). An unexecuted copy of this
document, attached to the above-identified specification,
was filed by Express Mail No. **EL859835130US** on
October 25, 2001.

- 2 Paper copy of amended Sequence Listing;
 - 3 Copy of the computer readable form of amended Sequence Listing;
 - 4 Amendment under 1.625 directing entry of the Sequence Listing into the application; and
 - 5) Statement to Support Filing and Submission in Accordance with 37 CFR 1.821 through 1.825
- () Other:
- () An Associate Power of Attorney is also enclosed.
- () Small entity status of this application has been established on 11, 2002.
- () A Verified Statement Claiming Small Entity Status Under 37 CFR 1.9 and 1.27 has been forwarded to the Refund Section, Accounting Division, Office of Finance on _____. A **copy** of this Verified Statement Claiming Small Entity Status form and the Request for Refund form is enclosed for your convenience.
- () A credit card payment form in the amount of \$_____ is attached to cover the surcharge. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619.
- (XX) Please charge the surcharge to my Deposit Account No. 50-1619 in the amount of \$130.00.

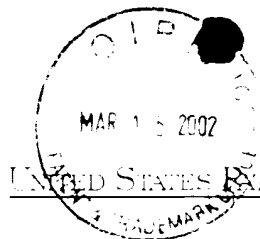
This sheet is attached in duplicate.

Respectfully submitted,

Kathleen A. Tyrrell
Registration No. 38,350

Date: **March 15, 2002**

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053
(856) 810-1515



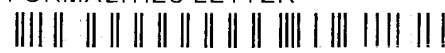
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20503

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CONFIRMATION NO. 4974

FORMALITIES LETTER

Loata & Tyrrell, P.C.
66 East Main Street
Marlton, NJ 08053

Date Mailed: 01/18/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.161 of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

03/21/2002 14:42:11 10002344
01 FC:105 130.00 CH

Customer Service Center

Initial Patent Examination Division (35 USC 120)

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DEX-0241

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By _____
Typed Name: **Kathleen A. Tyrrell**

Assistant Commissioner for Patents
BOX Sequence
P.O. Box 2327
Arlington, VA 22202

Sir:

STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE
WITH 37 CFR §§ 1.821 THROUGH 1.825

- () I hereby state, in accordance with the requirements of 37
C.F.R. §1.821(f), that the contents of the paper and
computer readable copies of the Sequence Listing, submitted
in accordance with 37 CFR §1.821(c) and (e), respectively
are the same.
- () I hereby state that the submission filed in accordance with
37 CFR §1.821(g) does not include new matter.
- () I hereby state that the submission filed in accordance with
37 CFR §1.821(h) does not include new matter or go beyond
the disclosure in the international application as filed.

(XX) I hereby state that the amendments, made in accordance with **37 CFR §1.825(a)**, included in the substitute sheet(s) of the Sequence Listing were made to conform with the current Sequence Listing rules. I hereby state that the substitute sheet(s) of the Sequence Listing does not include new matter.

(XX) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(b)**, is the same as the amended Sequence Listing submitted herewith.

() I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, contains identical data to that originally filed.

Respectfully submitted,

Kathleen A. Tyrrell
Registration No. 38,350

Date: **March 15, 2002**

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Marlton, New Jersey 08053

(856) 810-1515